

**IN THE UNITED STATES DISTRICT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JEFFREY MARTEN,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	
	:	
	:	
<b>SUPERINTENDANT D. SAUERS,</b>	:	<b>No. 11-2610</b>
<b>THE DISTRICT ATTORNEY FOR THE</b>	:	
<b>COUNTY OF PHILADELPHIA, and</b>	:	
<b>THE ATTORNEY GENERAL FOR THE</b>	:	
<b>STATE OF PENNSYLVANIA,</b>	:	
<b>Respondents.</b>	:	

**ORDER**

**AND NOW**, this 10<sup>th</sup> day of August, 2012, upon consideration of the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by petitioner Jeffrey Marten (Document No. 1, filed April 29, 2011), and the related submissions of the parties, and the record in this case, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport dated July 13, 2012, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport dated July 13, 2012, is **APPROVED** and **ADOPTED**;
2. The petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by petitioner Jeffrey Marten is **DENIED AND DISMISSED WITH PREJUDICE** without an evidentiary hearing;
3. A certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or this Court's procedural rulings with respect to petitioner's claims. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

/s/ **Jan E. DuBois**

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**JAN E. DUBOIS, J.**